

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

REC'D - 3 133

MM - 97-252

In the Matter of)
)
Amendment of Section 73.202(b),) MM Docket No. 97-252
Table of Allotments,)
FM Broadcast Stations.)
(Columbia City, Florida))

TO: John A. Karousos, Chief
Allocations Branch, Policy and Rules Division
Mass Media Bureau

**COMMENTS, OPPOSITION AND COUNTER-PROPOSAL
OF DICKERSON BROADCASTING, INC.**

HARRY F. COLE

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Counsel for Dickerson Broadcasting, Inc.

March 2, 1998

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1. Dickerson Broadcasting, Inc. ("DBI") hereby submits its Comments in response to the Notice of Proposed Rule Making, DA 97-2748, released January 9, 1998, in the above-captioned proceeding. As set forth in detail below, DBI opposes the proposed allotment of Channel 243A to "Columbia City", Florida because "Columbia City" is not a "community" for allotment purposes. Moreover, allotting Channel 243C3 to Cross City, Florida would be far preferable to the proposed allotment of that channel to "Columbia City", as the Cross City allotment would permit the Commission to resolve multiple long-standing matters and, in so doing, dramatically increase service to numerous people over a wide area without reducing the level of available service to anyone.

2. DBI's proposal is as follows:

<u>Community</u>	<u>Present</u>	<u>Channel Number</u>	<u>Proposed</u>
Cross City	295C1		243C3
Starke	292A		295C2 ^{1/}
Beverly Hills	292C3		292C2 ^{2/}

DBI proposes that Channel 243 -- which has been proposed to be allotted, as a Class A channel, to "Columbia City" -- instead be allotted, as a Class C3 channel, to Cross City for use by Station WDFL(FM), which is presently operating on Channel 292A. ^{3/}

^{1/} The coordinates of this allotment would be 29° 53' 10" N and 82° 15' 16" W.

^{2/} The coordinates of this allotment would be 28° 53' 38" N and 82° 26' 39" W (*i.e.*, the site of the present Class A facilities of Station WXOF(FM)).

^{3/} At the urging of Station WDFL(FM), the Commission has previously allotted a Class C1 channel -- 295C1 -- to Cross City for use by that station. However, Station WDFL(FM) has failed for years to utilize that upgraded channel, supposedly because of difficulties relative to securing use of a transmitter site. As discussed below, DBI's instant proposal would nevertheless permit Station WDFL(FM) to upgrade substantially *from its current site*, and would even allow that station to serve "white" and "grey" area, if it so chooses.

Channel 295C2 would be allotted to Starke to replace Channel 292A, which is now utilized by DBI's Station WEAG-FM. Finally, the classification of Channel 292 in Beverly Hills, Florida -- now utilized by Station WXOF(FM) -- could be upgraded from C3 to C2. ^{4/}

COLUMBIA CITY IS NOT A COMMUNITY FOR ALLOTMENT PURPOSES.

3. Max Media, the proponent of the Columbia City allotment, acknowledged that "Columbia City" is neither separately incorporated nor a "census designated place". Nevertheless, Max Media claimed that it is "a growing center of commercial and cultural activity". In support of that claim Max Media stated, *in toto*, as follows:

Official highway signs authorized by Columbia County identify Columbia City when approached from both the north and the south on State Route 47. From informal observation, it appears that Columbia City includes approximately 100 single-family homes. The community is experiencing growth. Many new homes under construction can be seen in the community.

Columbia City Elementary School is a modern design brick school located in the community on Route 47. There are four churches in Columbia City. The Columbia City Fire Department operates in a newly constructed fire station which houses approximately ten emergency vehicles. Commercial businesses in the community include two large modern convenience stores, a beauty shop, and a cabinet/woodworking factory.

Max Media Petition at 2. There are multiple problems with that "showing".

4. First, Max Media provides no description of the actual location and boundaries

^{4/} DBI notes that DBI has previously advanced a similar reallocation proposal as a counterproposal in MM Docket No. 97-205 (Perry, Florida). Simultaneously with the filing of the instant Comments, Opposition and Counter-Proposal, DBI is requesting the dismissal of its counter-proposal in MM Docket No. 97-205. While DBI believes that that counter-proposal remains valid and desirable, DBI believes that the instant counter-proposal affords the same advantages as its earlier counter-proposal but without any unnecessary complications. In particular, DBI's counter-proposal in MM Docket No. 97-205 turned out to be mutually exclusive with an application for modification of a station in Gretna, Florida which, unbeknownst to DBI, had been filed less than a week prior to DBI's counter-proposal. While DBI believes that the Gretna station could have been accommodated within the context of DBI's counter-proposal in MM Docket No. 97-205, the counter-proposal advanced herein eliminates any conceivable concern in that regard.

of what it refers to as "Columbia City". The sole physical reference points it mentions are the two signs on Route 47 which, according to Max Media, "identify Columbia City". But Benjamin Dickerson, a principal of DBI, has personally inspected the site. According to him, each of the two signs is located just one-fifth of a mile from the intersection of Route 47 and County Road 240. If those two signs reflect the dimensions of "Columbia City", as Max Media suggests, then "Columbia City" is 4/10ths of a mile wide or long. See Attachment A.

5. Next, Max Media provides no information about the number of residents of "Columbia City". Presumably this is because, as far as DBI can tell, there is no such information available because the area identified by Max Media is just a segment of Columbia County and no separate population statistics are maintained for "Columbia City". Max Media's assertion that "Columbia City" appears, "from informal observation", to include "approximately 100 single-family homes" is insufficient to establish the relevant population, particularly since Max Media has not even established the boundaries within which any "observation", informal or otherwise, might be conducted. Max Media's "informal observation" of any number of homes is immaterial unless those homes were within the boundaries of the "community" in question -- and there appear to be no such boundaries.

6. As a practical matter, DBI questions whether Max Media's claim of "approximately 100" homes is in any event reliable in view of the fact that "Columbia City" appears, from Max Media's description, to be just 4/10ths of a mile wide (or long). It is hard to imagine exactly how 100 homes could be squeezed into such a "community". It is even harder to imagine how "many new homes" could be under construction there. ^{5/}

^{5/} The supposed construction of "many new homes" is especially odd because DBI understands that Columbia County imposes a minimum five-acre zoning requirement for new homes. If DBI's understanding is correct, exactly where are the "many new homes" being built?

7. In Mr. Dickerson's visit to the intersection of Route 47 and County Road 240, Mr. Dickerson observed two gas stations, each with an associated convenience store. These are presumably the "two large modern convenience stores" mentioned by Max Media. Mr. Dickerson did not see any "factory", although he did observe a relatively modest one-story "woodworks" business on the north side of the intersection. ^{6/} Mr. Dickerson did not see any beauty shop. So as far as commercial establishments go, there appear to be only two gas stations -- not an unusual situation on a state road -- and a small woodworking shop, none of which suggests the existence of any identifiable local community.

8. Mr. Dickerson also contacted the Board of County Commissioners of Columbia County to inquire into the status of "Columbia City". The response received by Mr. Dickerson from Dale Williams, County Coordinator, makes clear that "Columbia City" is *not* a separate community. According to Mr. Williams's response (Attachment B hereto), "Columbia City" is better referred to as "an area of the County rather than a community." In particular, "Columbia City" has no local government (and, thus, no town hall), no post office, no public utility provisions for water, sewer or natural gas, no curbs or sidewalks and no local police. While there is something called the "Columbia City Volunteer Fire Department", it is housed in a County building (which houses County Rescue Station 2, providing emergency services to the South end of the County), and all vehicles used for fire and rescue are owned by the County. Indeed, the first responder to fires in the area is the Lake City/Columbia County Fire Department; the County Sheriff's office provides law enforcement for the area.

9. According to Mr. Williams, the "Columbia City Elementary School" is owned by the citizens of Columbia County and is administered by the Columbia County School

^{6/} DBI has been advised that the woodworks company employs approximately 15-20 people.

Board. Mr. Williams also notes that the signs referred to by Max Media were placed there not by any organized community of "Columbia City", but rather by the Florida Department of Transportation to "identify an area". Mr. Dickerson has also learned that the telephone exchanges assigned to phones in the area referred to by Max Media as "Columbia City" are the same exchanges assigned to Lake City telephones. And to the best of Mr. Dickerson's knowledge, there are no libraries, newspapers, shopping centers, recreational facilities, or social or civic organizations in "Columbia City".

10. In other words, there is no basis at all from which to conclude that "Columbia City" is a separate community which would warrant its own FM channel allotment. *See, e.g., Hayfield, Virginia*, 12 FCC Rcd 16373 (Allocations Branch 1997) and cases cited therein. The sole reliable information available to the Commission establishes that "Columbia City" is "an area of Columbia County rather than a community." *See* Attachment B. Accordingly, the proposal to allot Channel 243A to "Columbia City" should be rejected.

DBI'S ALTERNATE PROPOSAL SHOULD BE GRANTED.

11. By contrast, DBI's counterproposal presents the Commission with an unusual opportunity to provide vastly improved service and to resolve at least one proceeding which has been dragging on before the Commission for years. As set forth in the accompanying Engineering Report, the allotments proposed by DBI conform to all applicable technical rules, including all spacing requirements, and each will permit the provision of city-grade service to its respective community of allotment. There is thus no technical impediment to grant of DBI's proposal. More importantly, there are multiple public interest bases which plainly support that proposal.

12. First, DBI's proposal would permit the substantial upgrading of two stations, Station WEAG-FM and Station WXOF(FM). According to the accompanying Engineering Report, the aggregate population gain for those two stations would easily exceed 500,000 -- with WEAG-FM reaching more than 385,000 additional people, and WXOF(FM) reaching more than 180,000 (at least ^{7/}) additional people.

13. Second, DBI's proposal would relieve no fewer than four existing short-spaced situations. Currently, Station WEAG-FM's Starke channel is short-spaced to allotments in Kingsland, Georgia, and Ponte Vedra, Five Points and Beverly Hills, Florida. While the stations on each of these channels are operating consistently with the Commission's rules (*e.g.*, Section 73.215), the fact remains that the existing separations between the allotments are less than specified in Section 73.207. DBI's proposal would correct this situation.

14. Third, DBI's proposal would permit the Commission to close out an allotment proceeding which is more than five years old at this point. That proceeding -- MM Docket No. 92-195 (Beverly Hills, Chiefland, Holiday, Micanopy and Sarasota) -- has produced a voluminous record which has remained unresolved for years and which is presently pending before the Commission on application for review filed by DBI. ^{8/} DBI's proposal would

^{7/} The determination of the level of increased population which might be reached by Station WXOF(FM) depends on the starting point chosen. That is, Station WXOF(FM) is theoretically authorized to operate with Class C3 facilities, although Station WXOF(FM) has not, to DBI's knowledge, implemented such facilities. If the potential Class C2 facilities proposed herein by DBI were compared with the theoretical Class C3 facilities, then the increase in potential audience would be in the range of 180,000. If the potential Class C2 facilities were compared with the audience which Station WXOF(FM) is in fact reaching with its existing Class A facilities, the increase would exceed 260,000. *See* Engineering Report.

^{8/} By Memorandum Opinion and Order, 11 FCC Rcd 4641 (Policy and Rules Division 1996), the Chief, Policy and Rules Division ("PRD"), purported to dismiss DBI's application for review. As set forth in a petition for reconsideration of that action filed by DBI on May 10, 1996, the PRD did not
(continued...)

permit the Commission to achieve even better results in the markets affected by MM Docket No. 92-195 than would have been achieved by the proposal initially adopted by the PRD in that proceeding. *See* 8 FCC Rcd 2197 (PRD 1993), 8 FCC Rcd 8515 (PRD 1993).

15. Those better results derive from the facts that: (a) under DBI's proposal, the Beverly Hills allotment would be upgraded from Class C3 (as tentatively provided in MM Docket No. 92-195) to Class C2; and (b) unlike MM Docket No. 92-195, from which Starke was effectively excluded, DBI's proposal accommodates Starke with its own upgrade.

16. Fourth, there is the matter of the Cross City allotment. Channel 295C1 was originally allotted to Cross City in MM Docket No. 87-455. However, Station WDFL(FM) -- the affected Cross City station -- has never utilized that channel. While Station WDFL(FM) has advanced several proposals for such use, and while at least one of those proposals was granted (and later cancelled because of the licensee's failure to construct), none has proven to be viable. As a result, Station WDFL(FM) continues to operate on Channel 292A.

17. If DBI's proposed allotment of Channel 243C3 were compared to the current, actual operation of Station WDFL(FM) on Channel 292A, the result would be significant improvement in the service provided by that station: the population served with Class A facilities is less than 10,000; the population which could be served with the Class C3 facilities proposed herein would exceed 26,000, more than doubling the current potential audience. *See* Engineering Report. That constitutes a further substantial benefit of DBI's proposal.

8/(...continued)

have the authority to dispose of DBI's application for review. *See* 47 U.S.C. §5(c)(4); 47 C.F.R. §0.283(b)(3). Because the PRD's supposed "dismissal" was without authority, it is appropriate to deem DBI's application for review still to be pending, although DBI filed its petition for reconsideration of the PRD's decision in order to give the PRD an opportunity itself to consider and address DBI's arguments concerning its lack of authority.

18. Also, from the allotment coordinates of the community of Cross City, the proposed allotment would provide service to "white" and "grey" areas. In that respect it would be a reasonable substitute for Channel 295C1, which was allotted at least in part on the representation by Station WDFL(FM) that that channel would provide just such coverage. *See* Reply Comments of Women in FLA Broadcasting, Inc. (licensee of Station WDFL(FM)) in MM Docket No. 87-455, December 29, 1987, at 4 (emphasis in original).

19. A further positive attribute of the proposed Channel 243C3 allotment is that it can be utilized from the current site of Station WDFL(FM). In other words, in order to implement the change Station WDFL(FM) would not have to relocate. That is a particularly important factor, since Station WDFL(FM)'s persistent failure, over a period of some five years, to effectuate a previously authorized channel change has supposedly been attributable to difficulties relating to the availability of transmitter sites. DBI's current proposal accommodates that problem, and thereby relieves Station WDFL(FM) of the effort and expense which would otherwise be entailed in physically relocating its transmitter. ^{9/}

20. DBI acknowledges that, measured against the purely theoretical notion of operation of Station WDFL(FM) on Channel 295C1, DBI's proposal could be said to represent some reduction in the potential service which might theoretically be provided, at some indeterminate future time, by Station WDFL(FM). But such a comparison would be

^{9/} DBI notes that, in order to operate on Channel 243C3 from its present site, Station WDFL(FM) would have to do so pursuant to Section 73.215. Such operation would not provide the extent of "white" and "grey" area coverage which could be realized from operation from the Cross City community coordinates. However, it does not appear that Station WDFL(FM) really cares very much about providing service to "white" and "grey" areas. Even though Station WDFL(FM) itself advanced such service as a basis for allotting Channel 295C1 to Cross City, since that channel was allotted years ago, Station WDFL(FM) has never advanced any proposal actually to provide such service. To the contrary, Station WDFL(FM) appears to have made repeated efforts to relocate its transmitter *away* from such areas, focussing instead on more populous areas.

inappropriate. Station WDFL(FM) has never to date operated on Channel 295C1, so it cannot legitimately be said that that channel provides a meaningful basis for comparison.

21. Thus, DBI's proposal would provide for significantly expanded service, the elimination of a number of short-spacings, the elimination of significant "white" and "grey" areas, and the termination of a longstanding and relatively complex rule making proceeding. The first three of these factors would be consistent with the Commission's statutory mandate of achieving a "fair, efficient, and equitable distribution of radio service", 47 U.S.C. §307(b). The last of the four would be consistent with the Commission's own interest in conserving its own limited resources.

22. Should the Commission allot Channel 295C2 to Starke, DBI intends to take all necessary and appropriate steps to avail itself, at the earliest possible time, of such allotment.

23. With respect to the question of reimbursement to other affected stations, DBI notes that the upgrading from Class C3 to Class C2 of the Beverly Hills channel is *not* necessary to accommodate the other proposed changes. Since the Beverly Hills upgrade is not absolutely essential to the other changes proposed herein, DBI submits that any actual upgrade by Station WXOF(FM) would be voluntary on that station's part, and DBI should not be required to reimburse such costs. ^{10/}


24. Finally, there is Station WDFL(FM) in Cross City. While the changes proposed herein would necessitate some modification of that station's current operating facilities (on Channel 292A), the fact is that Station WDFL(FM) is *already* under a Commission order to vacate its current channel (which would, DBI understands, entail a

^{10/} If Beverly Hills balks at undertaking the expense of that upgrade, then DBI submits that the Commission should just leave the Beverly Hills allotment in its current posture as a Class C3 channel.

change of site as well) at its own expense. Despite the fact that Station WDFL(FM) has been subject to this relocation requirement for several years already, it has failed to relocate -- and, indeed, to the extent that it ever had even a construction permit to relocate, it lost that permit because of its own failure to move forward diligently with construction. As a result, all that Station WDFL(FM) has now is an application (a flawed application, as DBI has demonstrated in a petition to deny) seeking yet another construction permit. In other words, Station WDFL(FM) is in the same position it was in when it was first ordered by the Commission to relocate itself. Because of this, DBI submits that DBI should not be required to reimburse Station WDFL(FM) for any costs arising from Station WDFL(FM)'s relocation from Channel 292A. This is especially since DBI's present proposal, if adopted, would permit Station WDFL(FM) to remain at its present site.

WHEREFORE, for the reasons stated, the allotment plan set forth above will best serve the public interest. Accordingly, the Commission should deny the proposal of Max Media and should instead adopt the counter-proposal advanced herein by DBI, allotting Channel 243C3 to Cross City, Channel 295C2 to Starke, and Channel 292C2 to Beverly Hills, with appropriate modifications to the authorizations of the affected stations.

Respectfully submitted,


/s/ Harry F. Cole
Harry F. Cole

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Washington, D.C. 20036
(202) 833-4190

Counsel for Dickerson Broadcasting, Inc.

March 2, 1998

ATTACHMENT A

DECLARATION

Benjamin Dickerson, under penalty of perjury, hereby declares the following to be true and correct:

1. I am an officer, director and shareholder of Dickerson Broadcasting, Inc. ("DBI"), the licensee of Station WEAG-FM, Starke, Florida. I am preparing this Declaration for submission to the Federal Communications Commission ("Commission") in connection with DBI's Comments, Opposition and Counter-Proposal with respect to a proposal to allot Channel 243A to "Columbia City", Florida.
2. I have reviewed the Petition for Rule Making filed in Max Media in which Max Media proposes the allotment of an FM channel to "Columbia City". To the best of my knowledge, there is no community of "Columbia City". To confirm that, I personally visited the area described by Max Media as "Columbia City". There I found two highway signs bearing the words "Columbia City". Those two signs were located on State Route 47, a major state highway running north-south. One sign was located two-tenths of a mile north of the intersection of Route 47 and County Road 240; the other sign was located two-tenths of a mile south of that intersection.
3. I have also attempted to determine the population of "Columbia City". However, I have been unable to locate any source for such information, apparently because the area in question is nothing more than an area of Columbia County. I understand that Max Media has indicated in its petition that it observed 100 or so homes, and that many new homes were under

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construction. Since I could not determine precisely where "Columbia City" might be, I could not determine how many homes are actually in that area. With respect to new homes under construction, again I could not determine how many there may be, but I understand that Columbia County imposes a five-acre minimum lot size for new houses.

4. During my visit to the area, I observed two gas stations, each with an associated convenience store. I did not see any "factory", although I did observe a relatively modest one-story "woodworks" business on the north side of the intersection. I spoke with a representative of that business and was advised that it has approximately 15-20 employees. I did not see any beauty shop in the area.

5. I have also been advised that the telephone exchanges assigned to phones in the area referred to by Max Media as "Columbia City" are the same exchanges assigned to Lake City telephones. And to the best of my knowledge and observation, there are no libraries, newspapers, shopping centers, recreational facilities, or social or civic organizations in "Columbia City". I also contacted the Board of County Commissioners for Columbia County to inquire about the status of "Columbia City". In response I received a letter from Dale Williams, County Coordinator, which is being submitted as an attachment to DBI's pleading.

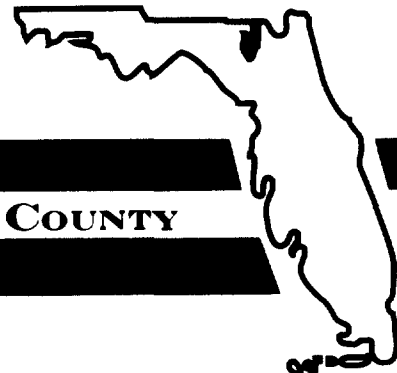

Benjamin Dickerson

Date: MARCH 2, 1998

ATTACHMENT B

District No. 1 - Ronald Williams
District No. 2 - Frank Albury
District No. 3 - Zimmie C. Petty
District No. 4 - James W. Knox
District No. 5 - James Montgomery

BOARD OF COUNTY COMMISSIONERS • COLUMBIA COUNTY



January 26, 1998

Mr. Ben Dickerson
1421 S. Water St.
Starke, FL 32091

Dear Mr. Dickerson:

Thank you for your inquiry about Columbia City. Columbia City is not incorporated nor a political subdivision of the State of Florida. The two signs, North and South of this crossroads, placed on State Road 47 right-of-way were erected by the Florida Department of Transportation to identify an area. Columbia City might better be referred to as an area of the County rather than a community.

Columbia City does not have a Post Office and does not have its own local government. There are no public utility provisions for water, sewer and natural gas. There are no curbs and sidewalks in the area.

The Columbia County Sheriff's Department provides law enforcement for the area and the Lake City/Columbia County Fire Department is the first responder to fires in the area. There is a County emergency services building in the area which houses County Rescue Station 2 which covers the South end of the County. The Columbia City Volunteer Fire Department is also housed in this County building. This building as well as all vehicles, fire and rescue, are owned by the County.

The Columbia City Elementary School is owned by the citizens of Columbia County and is administered by the Columbia County School Board.

I trust this answers your questions satisfactorily.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dale Williams".

Dale Williams
County Coordinator

DW/mw

BOARD MEETS FIRST THURSDAY AT 7:00 P.M.
AND THIRD THURSDAY AT 7:00 P.M.

ATTACHMENT C

Radiotechniques

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Engineering Report
in Support of
Counterproposal to Notice of Proposed Rulemaking
to modify FCC Rules and Regulations Section 73.202(b)
at Columbia City, FL, MM Docket No. 97-252
on behalf of Dickerson Broadcasting, Inc.

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Engineering Report
Counterproposal in MM Docket 97-252
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Abstract

The Federal Communications Commission has issued a Notice of Proposed Rulemaking proposing to allot channel 243A to Columbia City, Florida in MM Docket No. 97-252. Dickerson Broadcasting, Inc., Licensee of WEAG Starke, FL seeks to make a counterproposal for allocation in this proceeding. This engineering report supports this counterproposal.

Counterproposal

MM Docket No. 97-252 proposes to add an allocation for channel 243A to Columbia City, Florida. This counterproposal is mutually exclusive with the allocation of channel 243A to Columbia City, because it requires the allocation of channel 243C3 to Cross City, FL.

MM Docket No. 97-252 proposes:

	Channel No.	Channel No.
Community	Present	Proposed
Columbia City, Florida	-	243A

This counterproposal proposes:

	Channel No.	Channel No.
Community	Present	Proposed
Columbia City, Florida	243A	- *
Cross City, Florida	295C1	243C3
Starke, Florida	292A	295C2
Beverly Hills, Florida	292C3	292C2

* Note: The text of this counterproposal shows that Columbia City, FL is not a community for allotment purposes.

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Allocations Studies

Each of the allocations proposed are fully spaced at the reference coordinates to all other stations. Below are tables generated by Radiosoft's Mapfm program detailing the spacings for each of the sites studied. Each short spacing shown is eliminated by the proposed changes, or by resolution of MM Docket 92-195.

Cross City, Florida Reference Coordinates:

MAPFM search of channel 243C3 (96.5 MHz), at N. 29 45 8, W. 83 9 39.

Searching Channel 243C3 (96.5 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	
CLEARANCE									
ALC	Otter Creek	FL	240	A	A	59.7	42.0	150.9°	17.7
ALC	Yankeetown	FL	242	A	V	91.0	89.0	151.7°	2.0
NEW	Yankeetown	FL	242	A	A	91.0	89.0	151.7°	2.0
NEW	Yankeetown	FL	242	A	A	90.6	89.0	149.1°	1.6
NEW	Yankeetown	FL	242	A	A	91.5	89.0	150.0°	2.5
NEW	Yankeetown	FL	242	A	A	92.5	89.0	150.3°	3.5
NEW	Yankeetown	FL	242	A	A	90.9	89.0	149.6°	1.9
ALC	Orlando	FL	243	C	U	240.9	237.0	122.6°	3.9
ALC	Columbia 1/	FL	243	A	A	57.1	142.0	51.9°	-84.9
WHTQ	Orlando	FL	243	C	L	240.9	237.0	122.6°	3.9
ALC	Valdosta	GA	244	C2	U	122.3	117.0	343.5°	5.3
WYZK	Valdosta	GA	244	A	L	120.3	89.0	357.7°	31.3
WYZK	Valdosta	GA	244	C2	C	122.5	117.0	343.5°	5.5
WYZK	Valdosta	GA	244	C2	A	121.2	117.0	344.9°	4.2

Note 1: This counterproposal is mutually exclusive with allocation of channel 243A to Columbia City, FL.

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Cross City, FL Present WDFL (Present Facilities) Coordinates.

MAPFM search of channel 243C3 (96.5 MHz), at N. 29 36 35, W. 83 8 3.
Search conducted with spacings of section 73.215

Searching Channel 243C3 (96.5 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	
CLEARANCE									
ALC	Otter Creek	FL	240	A	A	45.0	40.0	144.0°	5.0
ALC	Yankeetown	FL	242	A	V	76.0	72.0	147.7°	4.0
NEW	Yankeetown	FL	242	A	A	76.0	72.0	147.7°	4.0
NEW	Yankeetown	FL	242	A	A	76.0	72.0	144.6°	4.0
NEW	Yankeetown	FL	242	A	A	76.7	72.0	145.8°	4.7
NEW	Yankeetown	FL	242	A	A	77.7	72.0	146.2°	5.7
NEW	Yankeetown	FL	242	A	A	76.2	72.0	145.2°	4.2
ALC	Orlando	FL	243	C	U	230.6	226.0	119.6°	4.6
ALC	Columbia 1/	FL	243	A	A	66.4	119.0	39.8°	-52.6
WHTQ	Orlando	FL	243	C	L	230.6	226.0	119.6°	4.6
ALC	Valdosta	GA	244	C2	U	138.2	106.0	344.3°	32.2
WYZK	Valdosta	GA	244	C2	C	138.4	106.0	344.3°	32.4
WYZK	Valdosta	GA	244	C2	A	137.1	106.0	345.6°	31.1

A preliminary section 73.215 study indicates that WDFL would be able to operate with 19 kW or more from its present site with its present antenna center of radiation.

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Starke, Florida Reference Coordinates:

MAPFM search of channel 295C2 (106.9 MHz), at N. 29 53 10, W 82 15 16

Searching Channel 295C2 (106.9 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEAR
WDFLEFM	Cross City 2/	FL	292	A	L	90.4	55.0	250.2°	35.4
WEAGFM	Starke	FL	292	A	L	15.3	55.0	71.2°	-39.7
ALC	Five Points	FL	293	A	U	55.4	55.0	313.4°	0.4
ALC	Ponte Vedra Beach	FL	293	A	U	92.9	55.0	66.7°	37.9
WCJX	Five Points	FL	293	A	L	57.6	55.0	314.6°	2.6
WTLKFM	Ponte Vedra Beach	FL	293	A	L	79.2	55.0	56.9°	24.2
ALC	Tavares	FL	294	C1	U	160.5	158.0	156.4°	2.5
WXXL	Tavares	FL	294	C1	L	160.5	158.0	156.4°	2.5
ALC	Douglas	GA	294	C1	U	190.9	158.0	341.9°	32.9
WOKAFM	Douglas	GA	294	C1	L	190.9	158.0	341.9°	32.9
ALC	Cross City 3/	FL	295	C1	U	100.8	224.0	237.8°	-123.2
WDFLEFM	Cross City 3/	FL	295	C1	A	65.4	224.0	241.9°	-158.6
ALC	Jacksonville	FL	297	C1	U	79.1	79.0	56.4°	0.1
WROO	Jacksonville	FL	297	C1	L	79.1	79.0	56.4°	0.1
WLGD	Columbia 4/	FL	298	A	C	46.5	55.0	301.7°	-8.5
WXOF-P	Beverley Hills	FL	292	C2	A	111.5	58.0	189.5°	53.5

Note 2: WDFL is not allocated to 292A, and is operating on this channel only until WXOF begins operation on channel 292.

Note 3: The allocation of channel 295C1 is proposed to be changed to 243C3 by this counterproposal.

Note 4: WLGD is an experimental station which is a secondary operation, and is not subject to protection, and may not cause interference to full service stations. WLGD is a low power station on the third adjacent channel to WEAG. Dickerson Broadcasting has no objection to WLGD continuing its present operation when WEAG moves to channel 295C2 provided no significant actual interference is caused to WEAG.

Radiotechniques

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Beverly Hills, Florida:

Spacings for WXOF Licensed Site and Reference Coordinates.

MAPFM search of channel 292C2(106.3 MHz), at N. 28 53 38, W. 82 26 39

Searching Channel 292C2 (106.3 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG
CLEARANCE								
WOCL	Deland	FL	290	C	L	109.8	105.0	88.4° 4.8
ALC	Beverly Hills	FL	292	C3	U	18.3	177.0	197.0° -158.7
WCIF	Melbourne	FL	292	A	L	202.1	166.0	116.6° 36.1
WDFLFM	Cross City 2/	FL	292	A	A	103.9	166.0	319.8° -62.1
WDFLFM	Cross City 2/	FL	292	A	L	103.9	166.0	319.8° -62.1
WEAGFM	Starke 5/	FL	292	A	L	119.5	166.0	16.0° -46.5
WLVUFM	Holiday 6/	FL	292	A	L	72.9	166.0	201.3° -93.1
WSRZFM	Sarasota	FL	292	A	L	173.0	166.0	184.2° 7.0
WWOJ	Avon Park	FL	292	A	L	174.8	166.0	147.7° 8.8
WXOF	Beverly Hills	FL	292	C3	C	13.1	177.0	190.2° -163.9
ALC	Sarasota	FL	293	C2	V	160.0	130.0	187.9° 30.0
WSRZFM	Sarasota	FL	293	C2	A	150.0	130.0	184.9° 20.0
WXXL	Tavares	FL	294	C1	L	91.0	79.0	114.1° 12.0
ALC	Cross City 3/	FL	295	C1	U	87.8	79.0	309.9° 8.8
WDFLFM	Cross City 3/	FL	295	C1	A	88.5	79.0	333.5° 9.5
WEAG-P	Starke	FL	295	C2	A	111.5	58.0	9.5° 53.5

Note 5 - WEAG Starke, FL is to move to 295C2 under this proposal

Note 6 - WLVU-FM is to move to 246C2 under MM Docket 92-195

Radiotechniques

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Spacings from WXOF Construction Permit Site:

MAPFM search of channel 292C2 (106.3 MHz), at N. 28 46 39, W. 82 28 5
(WXOF Construction Permit Coordinates using 73.215(e) Spacings)

Searching Channel 292C2 (106.3 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG
CLEARANCE								
WOCL	Deland	FL	290	C	L	113.2	96.0	81.9° 17.2
WDFLEM	Cross City	2/	FL	292	A	A	112.7 143.0	324.9° -30.3
WDFLEM	Cross City	2/	FL	292	A	L	112.7 143.0	324.9° -30.3
WEAGFM	Starke	5/	FL	292	A	L	132.6 143.0	15.4° -10.4
WLVUFM	Holiday	6/	FL	292	A	L	60.1 143.0	203.7° -82.9
WSRZFM	Sarasota		FL	292	A	L	160.0 143.0	183.7° 17.0
WWOJ	Avon Park		FL	292	A	L	165.4 143.0	144.6° 22.4
WXOF	Beverly Hills		FL	292	C3	C	0.0 166.0	0.0° -166.0
ALC	Sarasota		FL	293	C2	V	146.9 117.0	187.6° 29.9
WSRZFM	Sarasota		FL	293	C2	A	137.0 117.0	184.4° 20.0
WXXL	Tavares		FL	294	C1	L	88.8 76.0	105.8° 12.8
ALC	Cross City	4/	FL	295	C1	U	95.0 76.0	316.8° 19.0
WDFLEM	Cross City	4/	FL	295	C1	A	99.3 76.0	338.0° 23.3
WEAG-F	Starke		FL	295	C2	L	132.6 56.0	15.4° 76.6

Service to Principal Communities

Each allocation must provide principal community service using a standard facility for the proposed class. Figures 1 through 4 are maps showing the extent of the 70 db μ V principal community grade contour, and the proposed principal community. Each of these maps demonstrate that the requirements of comply with Federal Communications Commission Rules and Regulations 47CFR § 73.315 for that particular allocation. Beverly Hills, FL was not mapped, since the reference coordinates are the presently licensed facilities, and the proposed change will increase the area within the 70 db μ V contour.

Radiotechniques

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Relative Population Service

The population to receive service from the 60 db μ V service contour from each of the allocations using standard facilities for the class, along with the population receiving service by the present facilities of each operating station are shown below.

Original Proposal

	Present Service	Proposed	% Change
Columbia City, Florida	N/A	54,254	N/A

Counterproposal

	Present Service	Proposed	% Change
Cross City, Florida	9,370 <u>a/</u>	26,167	+279%
Starke, Florida	47,568	433,227	+910%
Beverly Hills, Florida	116,560 <u>b/</u>	379,610	+325%
	-----	-----	
Total Service	173,468	839,004	+483%

Note a: WDFL, Cross City, FL has proposed a 295C1 facility which would serve 231,308 persons if constructed.

Note b: WXOF, Beverly Hills, FL holds an unbuilt construction permit which would serve 199,069 persons if constructed.

White and Grey Areas

A small area at the north of the service area of the Columbia City proposal presently receives FM service from WNFB, WCJX, WQLC and WQHL. The remaining portion of the potential Columbia City service area receives five or more FM services. The entire area is served by AM stations WAYR and WOKV, and almost completely by WDSR and WGRO. WFVR and WLUS provide overlapping service areas which encompass the entire area. There is no area proposed to be served by the Columbia City proposal which receives less than nine services, and most areas are served by many more. The Columbia City, FL the entire proposed service area is "well served" by existing services.